

UNITED STATES DISTRICT COURT
for the
Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 12, 2021

SEAN F. McAVOY, CLERK

MID-CENTURY INSURANCE COMPANY, a California corporation doing
business in Washington,

Plaintiff/Intervenor Defendant,

and

LIBERTY MUTUAL FIRE INSURANCE COMPANY and LIBERTY
INSURANCE COMPANY,

Intervenor Plaintiffs,

Civil Action No. 2:20-CV-406-RMP

v.
ACI NORTHWEST, INC., an Idaho corporation,
Defendant.

JUDGMENT IN A CIVIL ACTION

The court has ordered that *(check one)*:

☐ the plaintiff *(name)* _____ recover from the
defendant *(name)* _____ the amount of
_____ dollars (\$ _____), which includes prejudgment
interest at the rate of _____ %, plus post judgment interest at the rate of _____ % per annum, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant *(name)* _____
_____ recover costs from the plaintiff *(name)* _____

☒ other: Intervenor Plaintiffs Liberty Mutual's Motion for Summary Judgment, ECF No. 24, is GRANTED. Defendant ACI's request for dismissal with prejudice of Plaintiff Mid-Century's Complaint in full is denied. Judgment for Intervenor Plaintiffs Liberty Mutual Fire Insurance Company and Liberty Insurance Corporation on their First and Third Causes of Action: (a.) Mid-Century Insurance Company ("Mid-Century") has an obligation to defend ACI Northwest, Inc. ("ACI") in the underlying litigation, under the Mid-Century Policy issued to Giddings; and (b.) The terms of the Mid-Century Policy and the acts alleged in the underlying litigation give rise to a primary obligation to defend ACI by Mid-Century in the underlying litigation under the Mid-Century Policy issued to Giddings.

This action was *(check one)*:

☐ tried by a jury with Judge _____ presiding, and the jury has
rendered a verdict.

☐ tried by Judge _____ without a jury and the above decision
was reached.

☒ decided by Judge _____ Rosanna Malouf Peterson
on Intervenor Plaintiffs Liberty Mutual's Motion for Summary Judgment, ECF No. 24.

Date: 11/12/2021

CLERK OF COURT

SEAN F. McAVOY

s/ Courtney Piazza

(By) Deputy Clerk

Courtney Piazza